

# DISTRICT ATTORNEY KINGS COUNTY

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> [INSERT NAME] Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]

Kings County Dkt./Ind. No. [#######]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: JOHN ZANCA

MOS TAX:

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move <u>in limine</u> to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

#### Disclosure # 1:

On November 19, 2018, Judge Simpson

found

the testimony by P.O. Zanca to be incredible.

#### Disclosure # 2:

In addition, in July 2015, under CCRB Case number 201500673, CCRB substantiated an allegation of abuse of authority for an unlawful car search against P.O. Zanca, with regard to the following allegations of fact: On January 24, 2015, at the intersection of Rider Avenue and East 138 Street in Bronx, New York, P.O. Zanca and his partner conducted a car stop after observing a van make an unsafe lane change. After stopping the vehicle, P.O. Zanca and his partner alleged they had observed approximately eight or more people moving about inside the vehicle. The partner further alleged that he had observed people placing their hands behind and under the seats. P.O. Zanca and his partner believed that the occupants were secreting weapons. P.O. Zanca and his partner ordered the occupants out of the vehicle and thereafter conducted a search of the vehicle but did not recover any weapons. The CCRB complainant denied that the occupants of the vehicle were moving in the vehicle prior to be ordered to exit. CCRB substantiated the abuse of authority allegation finding that based upon the observations of the officers and because the occupants were no longer in the car, the search was unjustified.

For the same January 24, 2015 incident, CCRB found unsubstantiated an allegation that P.O. Zanca used physical force at the scene of the vehicle stop. The CCRB complainant claimed that P.O. Zanca and his partner punched the complainant in his head hundreds of times, and that the partner struck the complainant in the leg with an asp over ten times. CCRB noted there was a lack of medical and eye witness evidence corroborating that claim.

CCRB recommended to N.Y.P.D. that P.O. Zanca receive formalized training as a result of the substantiated unjustified search allegation. As result, N.Y.P.D. provided the recommended training to P.O. Zanca.

### Disclosure # 3:

The People are aware of the following federal civil rights action(s) and/or state tort civil lawsuit(s) in which the indicated officer has been named as an individual defendant. Note, the disposition information may not be current:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Malik Brown	301274/2016	Bronx Cty.	8-16-16		Pending
		Sup. Ct.			
Saquan Gaddy	26078/2019E	Bronx Cty.	05-22-19		Pending
		Sup. Ct.			

# BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

#### Disclosure # 4:

CCRB CASE NO. 201500673

REPORT DATE: 01/29/2015

DATE OF INCIDENT: 01/24/2015

SUBSTANTIATED CCRB ALLEGATION(S):

1. ABUSE – VEHICLE SEARCH

NYPD DISPOSITION: NYPD ISSUED FORMALIZED TRAINING

## Disclosure # 5:

CCRB CASE NO. 201902762 REPORT DATE: 03/31/2019 DATE OF INCIDENT: 03/29/2019 OTHER MISCONDUCT NOTED:

1. OMN – FAILURE TO PREPARE MEMOBOOK ENTRY

NYPD DISPOSITION: INSTRUCTION ISSUED

Eric Gonzalez District Attorney Kings County

SEE JUDGE'S DECISION ATTACHMENTED BELOW